

**IN RE: APPEAL OF MADISON 2020, LLC, : BEFORE THE ZONING HEARING  
RELATIVE TO A PROPERTY LOCATED : BOARD OF THE CITY OF READING,  
AT 400 WASHINGTON STREET, CITY OF : PENNSYLVANIA  
READING, BERKS COUNTY, :  
PENNSYLVANIA : APPEAL NO. 2020-11  
:  
: VARIANCE, INTERPRETATION  
: AND/OR SPECIAL EXCEPTION**

**DECISION OF THE ZONING HEARING  
BOARD OF THE CITY OF READING**

**AND NOW**, this 12th day of August, 2020, a hearing having been held on July 8, 2020, upon the application of Madison 2020, LLC, notice of such hearing having been first sent and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the Zoning Hearing Board of the City of Reading (hereinafter referred to as the “Zoning Board”) renders the following decision:

**FINDINGS OF FACT**

The Zoning Board finds the following facts:

1. Applicant is Madison 2020, LLC, a Delaware limited liability company, with a principal address of 100 Paisley Lane, New Castle, DE 19720 (hereinafter referred to as the “Applicant”).
2. Applicant has an equitable interest in the property located at 400 Washington Street, City of Reading, Berks County, Pennsylvania 19601 (hereinafter referred to as the “Subject Property”).
3. The fee simple owner, Design Industry, LLC, has granted Applicant permission to seek the requested zoning relief.
4. The Subject Property is located in the Commercial Core (C-C) Zoning District as that term and district is defined by the Zoning Ordinance of the City of Reading, as amended (hereinafter referred to as the “Zoning Ordinance”).
5. Applicant seeks a special exception, adaptive reuse to convert an existing twelve story building, known as the Madison Building, to a mixed use commercial and residential development

pursuant to Sections 600-807.B.(4)(e) and 600-1202.A. of the Zoning Ordinance. In addition, Applicant is seeking a modification to the off-street parking requirement pursuant to Section 600-1202A.(3) of the Zoning Ordinance.

6. Applicant was represented by Joan London, Esquire.

7. Applicant stated the Subject Property is mostly vacant and there is a demand for mixed use with commercial use at the ground floor level.

8. Applicant stated the proposed improvements would include one and two bedroom apartments, commercial uses (especially at the ground floor level) with parking on and off site.

9. Applicant stated off-street parking would be available at the Chiarelli Garage which is 425' from the Subject Property.

10. Applicant has satisfied all of the special exception requirements.

11. The Zoning Board finds the proposed parking at the Chiarelli Garage meets the spirit and intent of the Ordinance and should be granted.

12. Alan Shuman had concerns regarding the proposed parking lease.

13. The Board finds the requested relief will not be a detriment to the health, safety and welfare of the neighborhood and will enhance the Commercial Core Zoning District.

### **DISCUSSION**

Applicant seeks a special exception, adaptive reuse to convert an existing twelve story building, known as the Madison Building, to a mixed use commercial and residential development. The proposed use will not be a detriment to the health, safety and welfare of the neighborhood and is in keeping with the spirit and intent of the Ordinance.

### **CONCLUSIONS OF LAW**

1. Applicant is Madison 2020, LLC.

2. The Subject Property is located at 400 Washington Street, Reading, Berks County, Pennsylvania 19601.

3. The Subject Property is located in the Commercial Core (C-C) Zoning District.
4. The specific sections of the Zoning Ordinance appealed are Sections 600-807.B.(4), 600-1202.A., and 600-1202-A.(3).
5. The Zoning Board is permitted to provide interpretation and grant applications for special exceptions and modifications as set forth in the relevant sections of the Zoning Ordinance.
6. In order to grant the requested relief, Applicant must show it has satisfied the relevant sections of the Zoning Ordinance.
7. After reviewing the Applicant's request in detail, the Zoning Hearing Board enters the following Decision:
  - a. Applicant is granted relief from all relevant sections of the Zoning Ordinance subject to the following conditions:
    - (1) A separate zoning permit shall be obtained for use of the first floor commercial space;
    - (2) A separate zoning permit shall be obtained prior to installation of any signage;
    - (3) Prior to the issuance of a zoning permit for the proposed adaptive reuse:
      - (a) Applicant shall obtain any land development approvals determined by the Planning Office to be necessary;
      - (b) Applicant shall provide lease agreements or other evidence of the availability of adequate parking to the satisfaction of the Zoning Administrator;
      - (c) Applicant shall submit a site plan showing the location of any garbage dumpster and required screening in accordance with Section 600-916 of the Zoning Ordinance; and
      - (d) Applicant shall provide a photometric lighting plan to the Zoning Administrator to establish adequate lighting will be provided and will not adversely affect neighboring residents, pedestrians, or motorists in compliance with Section 600-912.

- b. Applicant shall apply for all required building, trades and fire permits and submit to all inspections deemed necessary.
- c. Applicant shall apply for housing permits and submit to the required property maintenance inspections.
- d. Applicant shall comply with all relevant building and occupancy codes and ordinances as well as the plans and testimony submitted before the Zoning Board.
- e. Applicant may not use, expand, alter or otherwise use the Subject Property inconsistently with the contents of this Decision without making application requesting further relief from the Zoning Board.
- f. Failure to comply with any of these above-referenced conditions shall mean the immediate revocation of the relief granted herein.

The decision of this Board is by a vote of 5 to 0.

**ZONING HEARING BOARD OF THE CITY  
OF READING**

*/s/ Philip Rabena*

\_\_\_\_\_  
**PHILIP RABENA, CHAIRMAN**

*/s/ Thomas Fox*

\_\_\_\_\_  
**THOMAS FOX**

*/s/ Jeffrey Gattone*

\_\_\_\_\_  
**JEFFREY GATTONE**

*/s/ William Harst*

\_\_\_\_\_  
**WILLIAM HARST**

*/s/ Jared Barcz*

\_\_\_\_\_  
**JARED BARCZ**